



AGENDA PLAN COMMISSION

Tuesday, May 10, 2016 at 6:30 p.m.
Common Council Chambers, 224 East Jefferson Street

Mayor Jeannie Hefty, Chairman
Tom Vos, Aldermanic Representative
Todd Bauman, Aldermanic Representative
Darrel Eisenhardt, Park Board President
John Lynch, Commissioner
Chris Reesman, Commissioner
Andy Tully, Commissioner
Gabriel King, Student Representative

1. Call to Order
2. Roll Call
3. Approval of the minutes of April 12, 2016
4. Letters and Communications: None
5. Citizen Comments
6. Public Hearings:
 - A. A Public Hearing to hear public comments regarding a Conditional Use application from Bryan Linstroth for property located at 1120 Milwaukee Avenue to have a Seasonal Garden Center and to construct a temporary greenhouse.
7. Old Business: None
8. New Business:
 - A. Consideration to approve a Conditional Use and Site Plan application from Bryan Linstroth for property located at 1120 Milwaukee Avenue to have a Seasonal Garden Center and to construct a temporary greenhouse, subject to Mark Roffers' May 4, 2016 memorandum to the Plan Commission.
9. Adjournment.

***Note:** If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 262-342-1161 at least 24 hours prior to the meeting.*

***Note:** Notice is hereby given that a majority of the members of the Common Council may be present at the meeting. Although this may constitute a quorum of the Council, the Council will not take any action at this meeting.*



Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

Minutes
City of Burlington Plan Commission
April 12, 2016, 6:30 p.m.

Mayor Robert Miller called the Plan Commission meeting to order at 6:30 p.m. Roll call: Alderman Todd Bauman; Commissioners Chris Reesman; Andy Tully; John Lynch and Darrel Eisenhardt were present. Alderman Tom Vos was excused. BHS Student Representative, Gabriel King was also present.

APPROVAL OF MINUTES

Commissioner Tully moved, and Commissioner Lynch seconded to approve the minutes of March 8, 2016. All were in favor, and the motion carried.

LETTERS & COMMUNICATIONS

None

CITIZEN COMMENTS

None

PUBLIC HEARINGS

A. A Public Hearing to hear public comments regarding a Conditional Use application from Nicole Gilbreath for property located at 940 S. Pine Street for use as a retail shop and manufacturing to sell emergency survival products and manufacture water filters.

- Mayor Miller opened the Public Hearing at 6:31 p.m.
- There were no comments.

Alderman Bauman moved, and Commissioner Eisenhardt seconded to close the Public Hearing at 6:32 p.m. All were in favor and the motion carried.

OLD BUSINESS

None

NEW BUSINESS

A. Consideration to approve a Conditional Use and Site Plan application from Nicole Gilbreath for property located at 940 S. Pine Street for use as a retail shop and manufacturing to sell emergency survival products and manufacture water filters, subject to Mark Roffers' April 6, 2016 memorandum to the Plan Commission.

- Mayor Miller opened this item for discussion.
- There were no comments.

Commissioner Lynch moved, and Alderman Bauman seconded to recommend approval of a Conditional Use and Site Plan application for use as a retail shop and manufacturing, subject to Mark Roffers' April 6, 2016 memorandum to the Plan Commission as follows:

- The conditional use permit for "retail stores and services" use is limited to Suite 1. Any other "retail stores and services" besides the retail sales of emergency and survival gear, shall obtain a new conditional use permit.
- Mark the designated handicap parking spot with a sign on a post in front of the space and paint the asphalt with the handicap symbol.
- (Re)paint stripes on all parking spaces indicated on the February 16, 2016 site plans, with space no less than 9 feet by 20 feet in dimensions. Do not stripe parking space #5 as shown, instead leaving that area open for loading and 2-way movement. Install concrete or similar wheel stops near the front ends of each parking spaces to prevent further deterioration and protect landscaping.
- Remove pavement and install landscape plantings along the west façade of Suite 2, as indicated on the site plan

All were in favor and the motion carried.

B. Consideration to recommend approval to the Common Council of an Extraterritorial Certified Survey Map from Chuck Albee for property located at 7625 Franklin Street in the Town of Burlington, subject to Mark Roffers' April 6, 2016 and Kapur & Associates' March 16, 2016 memorandums to the Plan Commission.

- Mayor Miller opened this item for discussion.
- Alderman Bauman questioned why this CSM was coming in front of the commission since the property is located in the Town of Burlington. Mark Roffers explained that any Extraterritorial CSM that has a 1½ mile radius needs to be approved by the City. Charles Albee, owner, stated the advantage of purchasing the little strip of land will help him on the selling of the house in the future and since the house was built on two lots this will allow the property to connect to the park instead of the public land.
- There were no further comments.

Commissioner Tully moved, and Commissioner Eisenhardt seconded to recommend approval of an Extraterritorial Certified Survey Map application to combine several parcels into two lots, subject to Mark Roffers' April 6, 2016 and Kapur & Associates' March 16, 2016 memorandums to the Plan Commission as follows:

- Within the "Surveyor's Certificate" section on Sheet 1, add a provision that the surveyor has fully complied with applicable provisions of the City's Subdivision of Land Ordinance, as is required by that ordinance. *(This item was amended and will be reviewed.)*

- Amend all references to the “Township of Burlington” within the certified survey map to the “Town of Burlington”. *(This item was amended and will be reviewed.)*
- Within the legal description on Sheet 1, within the second last line, change “THENCE NORTH 88°28’18” EAST 167.37 FEET” to “THENCE SOUTH 88°28’18” WEST 167.37 FEET” to reflect the associated map and the clockwise direction of the legal description. *(This item was amended and will be reviewed.)*
- Within the first sentence in the first paragraph on Sheet 2, change “Certified Survey Map” to “Certified Survey Map”. *(This item was amended and will be reviewed.)*
- Within the third line in the “Owner’s Certificate” section on Sheet 3, change “plat” to “certified survey map”. *(This item was amended and will be reviewed.)*

All were in favor and the motion carried.

C. Consideration to recommend approval to the Common Council of a Certified Survey Map from Leslie Scherrer Pella for property located at 980 Milwaukee Avenue, subject to Mark Roffers’ April 6, 2016 and Kapur & Associates’ March 16, 2016 memorandums to the Plan Commission.

- Mayor Miller opened this item for discussion.
- Mark Roffers stated since the April 6, 2016 memorandum, the CSM has been adjusted and a new report dated April 12, 2016 has been written reflecting the changes.
- Ms. Pella questioned if any amendment to the responsible parties or termination to the agreement could be approved by City staff without having to go through the process of the Plan Commission. Mark Roffers stated that he could see where the City might amend the recommendation to only require City staff approval of limited provisions of the agreement between Lot 1 and Lot 2 that is related to the City’s interest and not others. Ms. Pella stated there are a lot of shared properties and understands the confusion of the responsibilities for maintenance.
- There were no further comments.

Commissioner Lynch moved, and Alderman Bauman seconded to recommend approval of a Certified Survey Map application with the revised report dated April 12, 2016 instead of April 6, 2016 plus a renegotiation to the agreement between the parties involved prior to being presented to City Council if the changes can be approved by City staff, subject to Mark Roffers’ April 12, 2016 and Kapur & Associates’ March 16, 2016 memorandums to the Plan Commission as follows:

- The applicant shall submit, for City staff approval, an agreement indicating rights and responsibilities between Lots 1 and 2 for use and maintenance of parking, loading, circulation, storm-water management, and other areas with overlapping or common use. The applicant shall record that agreement in conjunction with the recording of the CSM, and shall amend or terminate that agreement only with the subsequent approval of the City.

All were in favor and the motion carried.

Mayor Miller commented this is his last meeting. Mayor Miller thanked the Commissioners and the City for their support over the last 8 years.

ADJOURNMENT

Commissioner Eisenhardt moved, and Commissioner Lynch seconded to adjourn the meeting at 6:47 p.m. *All were in favor and the motion carried.*

Recording Secretary
Kristine Anderson
Administrative Assistant



CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

Plan Commission Item Number: 6A	Date: May 10, 2016
Submitted By: Gregory Guidry, Building Inspector	Subject: A Public Hearing for a Conditional Use application at 1120 Milwaukee Avenue

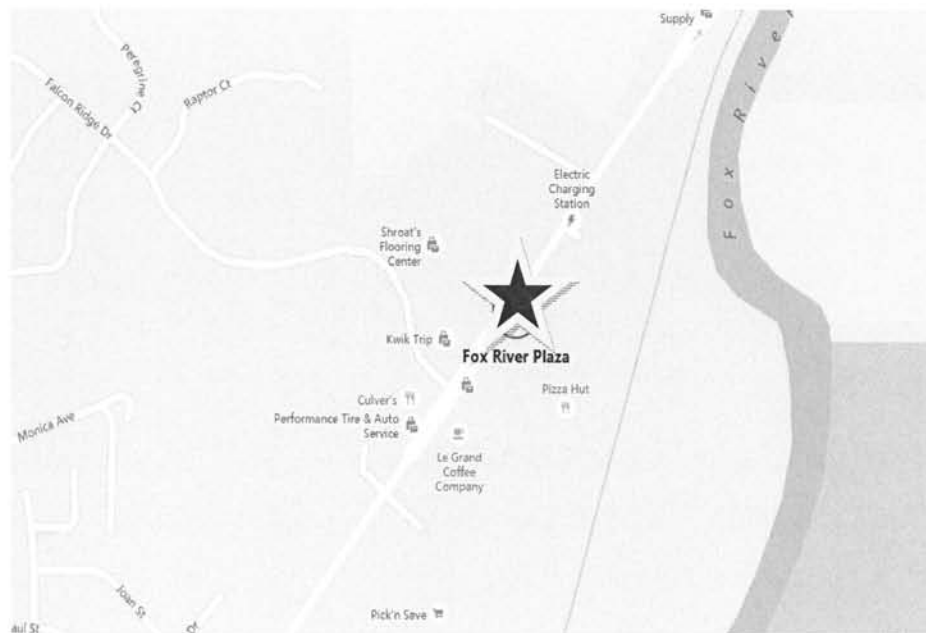
Details:

A Public Hearing has been scheduled to hear comments and concerns from the public regarding a Conditional Use application from Bryan Linstroth of Stein Gardens and Gifts for property located at 1120 Milwaukee Avenue. The applicant is proposing to have a Seasonal Garden Center and to construct a temporary greenhouse in the parking lot for Stein Gardens and Gifts.

The parcel is zoned B-1, Neighborhood Business District.

Stein Gardens and Gifts had a similar structure set up last summer in the Pick 'n' Save/Kohl's parking lot. Stein has relocated this year due to the upcoming construction of the multi-tenant building at 980 Milwaukee Avenue.

Map Location:



Executive Action:

This item is for a Public Hearing at the May 10, 2016 Plan Commission meeting and will be for discussion the same night.

THE PLAN COMMISSION IN AND FOR THE CITY OF BURLINGTON

Notice of Hearing on
Proposed Conditional Use Permit
B-1, Neighborhood Business District

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that the Plan Commission of the City of Burlington, Racine County, Wisconsin, will conduct a hearing to discuss the proposed Conditional Use Permit for:

Owner: BRE Non-Core 2 Owner B, LLC
Applicant: Bryan Linstroth
Location: 1120 Milwaukee Avenue
Zoning: B-1, Neighborhood Business District
Use: Seasonal Garden Center and to construct a temporary greenhouse in the parking lot for Stein Gardens & Gifts

NOTICE IS FURTHER GIVEN that a hearing on the above-mentioned Conditional Use Permit will be held by the City Plan Commission in the Courtroom of the Police Department, in the City of Burlington on:

TUESDAY, MAY 10, 2016 DURING THE MEETING OF THE PLAN COMMISSION SCHEDULED TO BEGIN AT 6:30 P.M. OR SHORTLY THEREAFTER

To consider the above Conditional Use Permit and to hear persons in support thereof or opposition thereto.

CITY OF BURLINGTON
PLAN COMMISSION

Dated at Burlington, Wisconsin, 18th day of April, 2016.

Diahnn Halbach, City Clerk

*Published in the Burlington Standard Press
April 21st, 2016 and April 28th, 2016*



CITY OF BURLINGTON

Administration Department

300 N. Pine Street, Burlington, WI, 53105

(262) 342-1161 – (262) 763-3474 fax

www.burlington-wi.gov

Plan Commission Item Number: 7A

Date: May 10, 2016

Submitted By: Gregory Guidry, Building Inspector

Subject: Consideration to approve a Conditional Use and Site Plan application at 1120 Milwaukee Avenue.

Details:

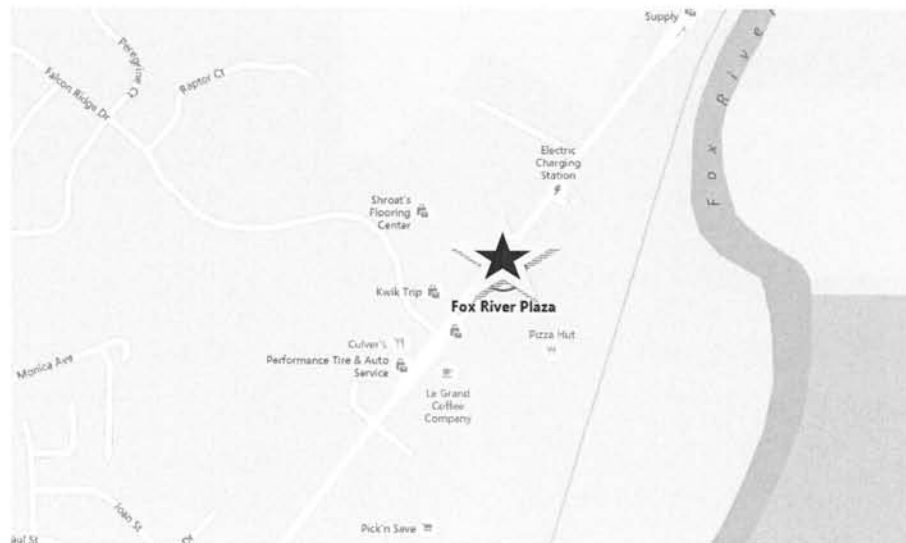
This item is to consider approving a Conditional Use and Site Plan application from Bryan Linstroth of Stein Gardens and Gifts, for property located at 1120 Milwaukee Avenue. The applicant is proposing to have a Seasonal Garden Center and to construct a temporary greenhouse in the parking lot for Stein Gardens and Gifts.

The parcel is zoned B-1, Neighborhood Business District.

Stein Gardens and Gifts had a similar structure set up last summer in the Pick 'n' Save/Kohl's parking lot. Stein has relocated this year due to the upcoming construction of the multi-tenant building at 980 Milwaukee Avenue.

Mark Roffers recommends approval of this Conditional Use and Site Plan subject to items listed in his memorandum.

Map Location:



Executive Action:

This item is for consideration at the May 10, 2016 Plan Commission meeting. No further action is necessary.



To: City of Burlington Plan Commission
From: Mark Roffers and Colette Spranger, Interim City Planning Consultants
Date: May 4, 2016
Re: Applications for Conditional Use Permit and Site Plan Approvals, 1120 Milwaukee Avenue (Steins Seasonal Garden Center)

Requested Approvals: Conditional use permit and site plan approval for a temporary garden center.

Location: Along the east side of Milwaukee Avenue in the vacant K-Mart parking lot at Fox River Plaza

Current Land Uses: Paved parking lot. There is a small, drive-through coffee shop (Le Grand Coffee Company) just west of the proposed garden center, nearer to Milwaukee Avenue, on the same property.

Proposed Use: See applicant's materials. Temporary improvements would include a 21' x 36' Poly-Tex Garden Mart greenhouse, within 2,700 square feet of proposed sales space. Proposed use would run through approximately July 1.

Current and Proposed Zoning District: B-1 Neighborhood Business, within which "Outdoor Display of Merchandise for a Seasonal Sales Lot" is listed as a conditional use.

Comprehensive Plan's Planned Land Use Designation: Commercial.

Surrounding Zoning and Land Use: All surrounding parcels are zoned B-1. Parcels to the north are a variety of retail and fast food businesses. A bank is south of the proposed garden center.

Background and Assessment: The applicant operated this same business last summer in the parking lot adjacent to Kohl's and Pick 'n Save, to the south. However, this area is not available this summer because it is a staging area for construction of a recently-approved multitenant retail center.

The applicant's plan nearly meets standards applicable to "Outdoor Display of Merchandise for a Seasonal Sales Lot" use in Section 315-45(B) and other sections of the zoning ordinance.

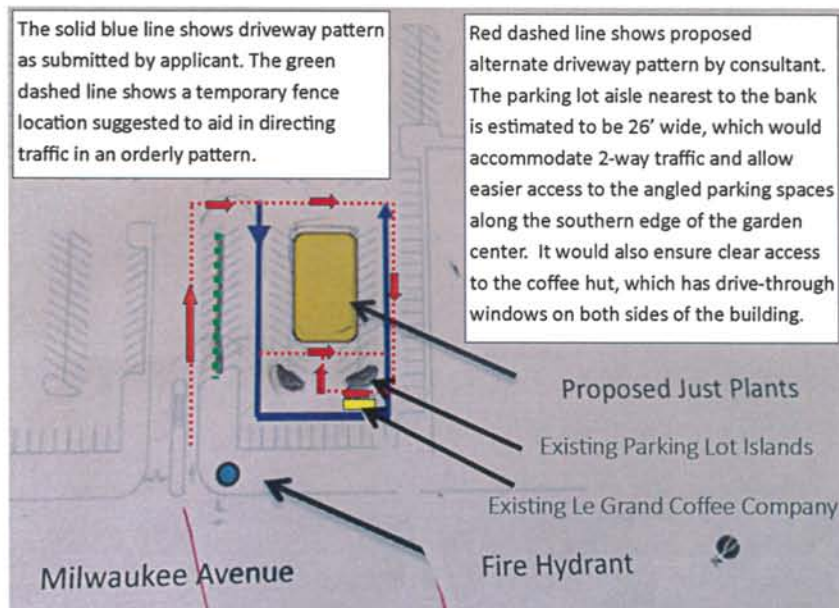
The use will meet requirements for off-street parking and loading. Further, the space between the proposed garden center and the vacant K-Mart building is adequate for loading and delivery for the garden center. The applicant anticipates regular deliveries by tractor/trailer or straight truck.

There could be access conflicts with the small drive-through coffee hut closer to Milwaukee Avenue. The submitted site plan proposes a one-way driving pattern around the proposed garden center that appears to depend on Le Grand Coffee Company's drive-through lane. The photo below shows the coffee hut, with a customer's car in at this location for about 5 minutes. We also believe the window on the left side of the building serves traffic headed in the opposite direction.



We suggest an alternative traffic pattern for the garden center that does not depend on either of the coffee hut's drive-through lanes for garden center patrons, and continues to allow coffee hut patrons leaving in either direction a clear way out. Please see our mark-up of the applicant's site plan below for a routing pattern that may work. It is based on the knowledge that the driveway to the south of the proposed garden center tent is wide enough for two-way traffic (26+ feet), and that that driveway is not currently marked for one-way traffic only. Our alternate access proposal may work even better if the garden center tent is shifted towards the former K-Mart building another 5 or so feet. We are open to different plans that accomplish similar objectives.

We also suggest a temporary fence or other temporary barrier to restrict short-cuts to and from the main Milwaukee Avenue driveway (see green dashed line on next page). Such a barrier may limit vehicular conflicts and reinforce the applicant's traffic pattern.



Recommendation: We recommend that the Commission approve a conditional use permit for a “temporary outdoor display for a seasonal sales lot” in the parking lot at 1120 Milwaukee Avenue, and an associated site plan approval, subject to the following conditions:

1. Prior to installing any improvements associated with this temporary use, the applicant shall secure written approval (email OK) from:
 - a. The Burlington Fire Department and City’s Public Works Director for use of fire hydrant, or other municipal water source, and a payment plan for water usage.
 - b. A nearby property or business owner for restroom use for employees.
2. The applicant shall improve the site in accordance with the plans and representations included with the March 15, 2016 application, including the cover letter, site plan, and “seasonal garden center proposal” documentation. Also, as part of the temporary improvements to the site:
 - a. The applicant shall provide a water connection in accordance with the approvals under condition #1.
 - b. The applicant shall install a temporary fence, rope line, or other temporary barrier between the parking rows near the Milwaukee Street entrance drive in inhibit short-cutting in and out, in the location shown in the May 4th Village Planner report.
 - c. Unless another alternate plan is approved by the Village staff, the garden center applicant shall create, mark, and maintain a southbound driving lane between the tent and the two parking lot landscape islands to the west of the tent, so as to not depend on the coffee hut drive-through lane and to continue to enable two-way access for the coffee hut.
3. Per Section 315-45(B) the applicant shall be responsible for containing and removing trash to not promote unwanted animals, blowing of trash in the area, smells, or unsightliness.
4. Per Section 315-45(B) all evidence of the temporary use shall be removed within 48 hours of the end of the operation, but in no case later than August 1, 2016.
5. Signage may require a sign permit from the City prior to installation; the applicant should confirm with Building Inspector before installing any signage.



City of Burlington

City Hall - 300 N. Pine Street
Burlington, Wisconsin 53105-1460
Phone: (262) 342-1161 Fax: (262) 763-3474

For forms online go to www.burlington-wi.gov

FOR OFFICE USE ONLY	
PERMIT NO. (not C.U.)	
AMT. PAID: \$	235.00
DATE FILED:	4/14/16
DATE PUBLISHED:	
PUBLIC HEARING DATE:	
NOTICES MAILED:	
RECEIVED BY:	[Signature]
	(Initials)

APPLICATION FOR A ZONING PERMIT, CERTIFICATE OF COMPLIANCE, OR CONDITIONAL USE PERMIT

- ☐ Zoning Permit - \$20.00 ☐ Joint Zoning/Certificate of Compliance - \$30.00
☐ Certificate of Compliance - \$10.00 ☒ Conditional Use Permit - \$200.00

Instructions: Applications are to be filed with the Zoning Administrator, who shall refuse applications that are not complete or that are not legible.

NAMES AND ADDRESSES

Applicant STEIN GARDEN CENTERS INC c/o BRYAN LINSTROTH

Phone No. (414) 761-5404 EXT 30031 Fax No. (414) 761-5413

Applicant's Address 5400 S. 27th St Milwaukee WI 53221

Owner of the site BRE NUT-CORE 2 OWNER LLC

Phone No. 847-272-9800 Fax No. 847-480-1893

Owner's address 40 Skokie Blvd. Suite 600, Northbrook, IL 60062

Architect / Professional Engineer N/A

Architect / Professional Engineer Address N/A

Contractor N/A

Contractor's Address N/A

DESCRIPTION OF THE SUBJECT SITE

Address: 1120 Milwaukee Ave Burlington WI 53105

Or if no address exists: Parcel Identification No. _____

Existing Zoning classification B-1 NEIGHBORHOOD BUSINESS DISTRICT

Description of existing use RETAIL

Description of the proposed use TEMPORARY - SEASONAL FLOWER MART

Number of employees / Hours of operation 10-12 employees / M-F 9am-8pm SAT 8am-8pm Sun 9am-6pm

**ATTACHMENTS –
THE FOLLOWING ITEMS MAY NEED TO BE ATTACHED TO THIS APPLICATION:**

PLAT OF SURVEY – prepared by a registered land surveyor showing the location, boundaries, elevations, uses and size of the following: subject site; existing and proposed structures; existing and proposed easements, streets and other public ways; off-street parking, loading areas and driveways; existing highway access restrictions; existing and proposed street, side and rear yards. In addition, the plat of survey shall show the location, elevation, and use of any abutting lands and their structures within (40) feet of the subject site.

If municipal sewage service or water service is not available, a plan shall be approved by the City Engineer who shall certify in writing that satisfactory, adequate and safe sewage disposal and/or a safe supply of water, is possible on the site as proposed by the plan in accordance with applicable local, county and state board of health regulations.

Additional information as may be required by City Officials.

Reason for requesting a Conditional Use (for Conditional Use Permit Only):

STEIN GARDEN CENTERS WOULD LIKE TO REQUEST APPROVAL TO
OPERATE A SEASONAL FLOWER MART IN THE FOX RIVER PLAZA PARKING
LOT FROM APPROX APRIL 25TH - JULY 1ST 2016.

Certificate – I hereby certify that all the preceding statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.

Applicant: [Signature]
(Signature)

BRYAN LINGSTROTH
(Print)

Owner: [Signature]
(Signature)

JOHN LATO
(Print)

Date: 3/15/16

Date application Filed: _____

- Applications will not be processed without the property owner's signature.
- Permit may be revoked without notice if misrepresentation of any of the above information or attachments is found to exist.
- Permit is Null and Void if issued in error. It is understood that any permits issued on this application will not grant any right or privilege to erect any structure or to use any premises for any purpose that is prohibited by the Zoning Ordinance or any other state or local laws.
- Changes in the plans or specifications submitted in the original application shall not be made without prior written approval of the Zoning Administrator.

Zoning Administrator: _____
(Signature)

Date: _____



CITY OF BURLINGTON

Building & Zoning Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1163 – (262) 763-3474 fax
www.burlington-wi.gov

SITE PLAN APPROVAL APPLICATION

REVIEW: \$500.00 Deposit +/- Actual Cost

FOR OFFICE USE ONLY	
DATE FILED:	4/4/16
RECEIVED BY:	KA
AMT. PAID:	500.00

APPLICANT: STEW GARDEN CENTERS Inc 4% Bryan Linstroth

ADDRESS: 5400 S. 27th St PHONE NO. (414) 761-5404 FAX NO. (414) 761-5413

OWNER: BRE Non-Core 2 owner B, LLC

ADDRESS: 40 Skokie Blvd, Suite 600, Northbrook, IL 60062 PHONE NO. 847-272-9800 FAX NO. 847-480-1893

SITE ADDRESS: 1120 Milwaukee Ave Burlington WI 53105

PROPOSED USE: Seasonal Flower Mart PRESENT ZONING: B-1

LEGAL DESCRIPTION: Neighborhood Business Unit
(Attach full legal description if needed)

THE SITE PLAN MUST INCLUDE THE FOLLOWING INFORMATION (PLEASE LIST ANY ADDITIONAL INFORMATION WHERE APPLICABLE):

- ☐ Site plan drawn to a recognized engineering or architectural scale with graphic scale, shown as well as the date of drawing and the north arrow shown.
- ☐ Project title and owner's/developer's name and address noted.
- ☐ Architect's and/or engineer's name and address noted.
- ☐ Property boundaries and dimensions.
- ☐ Abutting property zoning classifications.
- ☐ General description of building materials, façade and roof detail.
- ☐ Setback lines indicated.
- ☐ Easements for access, if any.
- ☐ 100-year floodplain identification.
- ☐ Existing and proposed topography show at a contour interval of not less than two feet, indicating proposed grade and location of improvements.
- ☐ Signage and outdoor lighting – proposed location and details.
- ☐ Total number of employees: _____ and Hours of operation _____.

- ___ Total no. of parking spaced noted. No. of parking spaces provided: _____. Calculations used to arrive at the no. of spaces: _____.
- ___ Type, size and location of all structures with all building dimensions shown.
- ___ Locate existing and general location of proposed sanitary sewers, storm sewers and watermain.
- ___ Locate any proposed stormwater management facilities, including detention/retention areas. The City of Burlington has a stormwater ordinance in effect.
- ___ Note location, extent and type of proposed landscaping and landscaping plantings and buffers to adjacent property, including fencing or other screening.
- ___ Note, location of pedestrian sidewalks and walkways.
- ___ Graphic outline of any development staging that is planned.
- ___ Driveway locations and sizes.
- ___ Handicap accessibility.
- ___ List environmental concerns, i.e. odor, smoke, noise.

Owner: John Lato Date: 3/15/16
(Print)

Owner: [Signature]
(Signature)

Applicant: BRYAN LINSTROTH Date: _____
(Print)

Applicant: [Signature]
(Signature)

Zoning Administrator: _____ Date: _____
(Signature)



March 8, 2016

Plan Commission
Building & Zoning Department
City of Burlington
300 N. Pine Street
Burlington, WI 53105

Stein Garden Centers, Inc. is seeking a Conditional Use Permit to operate a Stein Just Plants seasonal flower mart located in the City of Burlington in the spring 2016. Stein Garden Centers, Inc. has secured permission from Brixmor Property Group which manages the Fox River Plaza located at 1120 Milwaukee Avenue to use a portion of the parking lot for our seasonal flower mart. Our intent is to operate the seasonal flower mart from the end of April through the first week of July upon approval of the Conditional Use Permit.

Attached is the *Stein Just Plants* proposal which includes operational information, specifications and site plans and the plot of survey.

If you are in need of any additional information in advance of the Plan Commission meeting, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bryan Linstroth".

Bryan Linstroth
Stein Gardens & Gifts
5400 S. 27th Street
Milwaukee, WI 53221
414-761-5404 Ext. 30031
Fax: 414-761-5413
Email: bryan@mailsteins.com

BRIXMOR®

March 15, 2016

City of Burlington
City Hall – 300 N. Pine Street
Burlington, WI 53105-1460

**RE: Approval for Parking Lot Use – Stein Gardens and Gifts
Fox River Plaza – Burlington, WI 53105-1362**

Dear Sir or Madam:

Please allow this letter to serve as approval for Stein Gardens and Gifts to use portion of the parking lot in the Fox River Plaza located at 1120 Milwaukee Avenue, Burlington, Wisconsin, for a “Just Plants” seasonal garden market from April 23rd to July 1st, 2016. Such approval shall be contingent upon full compliance of the terms in the license agreement.

If you have any questions or concerns regarding the approval request, please contact John Lato, Property Manager, at (847) 562-4113 or via email at john.lato@brixmor.com.

Sincerely,



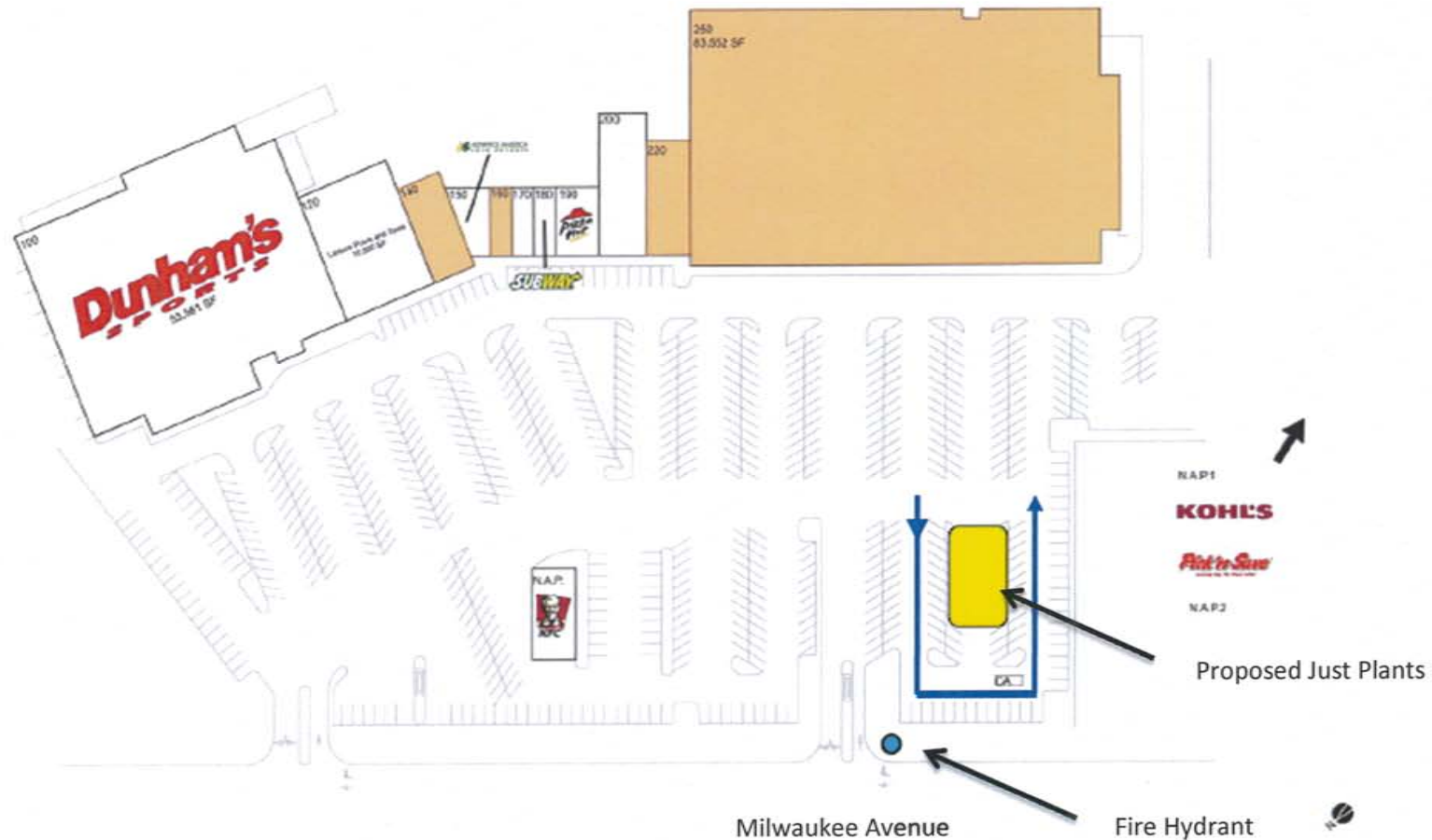
John Lato
Property Manager

Racine, WI

Fox River Plaza

1120 Milwaukee Avenue | Burlington, WI 53105

42.691927, -88.263838



Center Size: 169,883 SF

6439

Dana Meadowcroft

847.562.4148

dana.meadowcroft@bromor.com

Bromor.com

This site plan indicates the general layout of the shopping center and is not a warranty, representation, or agreement on the part of the landlord that the shopping center will be exactly as depicted herein.



**Stein's Garden and Home
Stein's Just Plants
Seasonal Garden Center Proposal
1120 Milwaukee Avenue
Burlington, WI 53105**

About Us

Stein's was founded in 1946 by Maurice Stein. His son, Jack Stein, took over the business and through his vision and commitment to the customer built Stein's into one of the leading independent garden centers in the country. Today, with 16 locations throughout Wisconsin, Stein's continues to be owned and operated by the Stein family and remains focused on providing customers with superior products and great service.

In 2010 *Stein's Garden and Home* launched its first *Stein's Just Plants* seasonal flower mart concept at 76th and Good Hope Road in Milwaukee, WI. This first location was adjacent to a Pick'n Save location in a former Home Depot lawn and garden area. This first operation was a success. In 2016, *Stein's Garden and Home* plans to open 5 *Stein's Just Plants* locations throughout the greater Milwaukee area.



Stein's Just Plant-Oak Creek

Proposal-Stein's Just Plants 2016

In 2016 *Stein's Garden and Home* is proposing to set up a *Stein's Just Plants* seasonal location in several communities in southeastern Wisconsin including Burlington at the Fox River Plaza at 1120 Milwaukee Ave. These locations will provide the residents a local garden center in their community as well as attract customers from the nearby communities. In addition, *Stein's Garden and Home* is scheduling a direct mailing in the area of each *Stein's Just Plants* location to further attract customers to the *Stein's Just Plants* and the local community.

The *Stein's Just Plants* seasonal locations will consist of a 21' x 36' Poly-Tex Garden Mart greenhouse and approx. 1920 sq. ft. of additional display space adjacent to the greenhouse. This total of approx. 2700 sq. ft. of seasonal garden center will take up approximately 14-16 parking spaces. The proposed display area would be fenced in with a picket style fence. Display benching will consist of a combination of Poly-Tex metal benching. The 'checkout' area would consist of a small "shed" which will house and protect our POS and communication equipment from the elements.

The *Stein's Just Plants* locations will stock exclusively plant material (annuals, perennials and vegetable plants) along with only a handful of gardening accessories (soils, fertilizer and hand tools). None of the giftware, home decor traditionally available at *Stein's Garden and Home* will be available at the *Stein's Just Plants* locations.

For 2016 the locations being considered are:

- **Burlington (2nd year)**
- Muskego (5th year)
- Cedarburg (5th year)
- Oak Creek (5th year)

Advertising – Direct Mail Spring 2015

Just Plants NOW OPEN!
Blooming in 5 convenient locations.

CHEF JEFF'S
Premium Vegetable Plants
Plant pots
3 FOR 6.50
or 2.19 each Reg. 2.50
30 New and exciting varieties

Heirloom Vegetable Plants
Plant pots
3 FOR 7.00
or 2.33 each Reg. 2.50
Chosen from 20 varieties for wild home taste

Stein's Moisture-Pro Potting Mix 5.88
16 Quart Reg. 6.99

Stein's Premium Potting Mix 4.88
16 Quart Reg. 5.99

Hillman's Finest Fresh, Full & Flowering Hanging Baskets
15.99 Your Choice
And up
16 inch baskets Reg. 21.99 and up

JUMBO 50 - Garden Club SPECIAL
Inspiration Flats
11.99 With Club Card
Total price by the flat Reg. 17.99
Non-refundable 11.99

Oak Creek
9530 S. Howell Ave.
*Kohl's Department Store Parking Lot

Waukesha
130 W24836 Sunset Drive
*7th Sunset Dr. & S. Prairie Ave.

Pewaukee
601 Ryan Street
*Pick'n Save Parking Lot

Muskego
508 W1530E Jamesville Road
*Kohl's Department Store Parking Lot

Cedarburg
N48 W6337 Western Ave.
*Western Rd. & Hanover Ave.

Weekdays & Sat. 8 A.M. - 9 P.M.
Sundays 8 A.M. - 7 P.M.
Steinogg.com

Just Plants GORGEOUS PLANTS ARRIVING DAILY!
GRAND OPENING
5 convenient locations: •Oak Creek •Cedarburg •Waukesha
•Pewaukee •Muskego

Best Buy Geraniums
1.00 each
16 inch pot
21 inch pot
Reg. 1.99 each

Perennials
1.77
16 inch pot
Reg. 2.99

Annuals
FREE
16 inch pot
Reg. 2.99

Countdown Plants
1.22
16 inch pot
Reg. 2.99

Herb Plants
FREE
16 inch pot
Reg. 2.99

Oak Creek
9530 S. Howell Ave.
*Kohl's Department Store Parking Lot

Waukesha
130 W24836 Sunset Drive
*7th Sunset Dr. & S. Prairie Ave.

Pewaukee
601 Ryan Street
*Pick'n Save Parking Lot

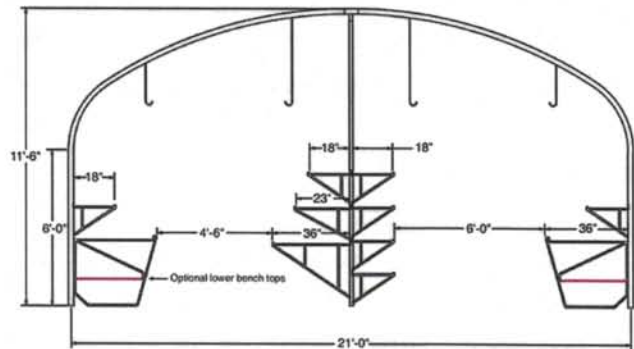
Muskego
508 W1530E Jamesville Road
*Kohl's Department Store Parking Lot

Cedarburg
N48 W6337 Western Ave.
*Western Rd. & Hanover Ave.

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- 1 Direct Mail piece is planned for 2016 and will be mailed to residents within a 10 mile radius of each Stein's Just Plants location. Additional advertising will be handled through social media, bill boards (if applicable), and the use of other Stein's Garden and Home media outlets.

21' Wide Poly-Tex Garden Mart® Greenhouse



Width	21 feet	Door	6 foot wide by 6 foot 8 inches tall
Length	24 to 96 feet (in 6-foot increments)	Roof cover	clear or white 6 mil. UVI treated polyethylene
Sidewall height	6 feet	End wall cover	clear 6 mil. UVI treated polyethylene
Height at apex	11 foot 4 inches	Frame	2" O.D. 14 gauge galvanized steel tubing
Frame spacing	6 foot	Ventilation	Slide-Side or Roll up sidewalls

Additional Information

Proposed Period of Operation

- Monday April 25th through Friday July 1st (approximately)

Setup and Take Down

- Approximately 12-16 hours for setup and 12-16 hours for take down
- Display area to be restored to existing condition including any patching of holes needed to anchor the greenhouse.

Proposed Hours of Operation

- Weekdays 9 am to 8 pm
- Saturdays 8 am to 8 pm
- Sundays 9 am to 6 pm

Staffing

- Stein's Garden and Home seeks to employ local residents, avid neighborhood gardeners & retirees
- 2 to 3 employees on site at all times during business hours
- 10-12 total employees

Product Selection

- Annual flowers
- Flowering hanging baskets
- Pre-planted containers
- Vegetable Plants
- Perennials
- Planting Mixes
- Garden Fertilizers
- Miscellaneous gardening accessories (gloves, hand tools)

Deliveries

Product will be delivered to the *Stein's Just Plants* location during normal business hours by tractor/trailer as well as by straight trucks equipped with lift gates – dropping off carts of product. Carts would be removed from the property on a regular basis.

After hours deliveries only if permitted by the local ordinances.

Utility Requirements

Stein's Just Plants does require both electricity and water for its operation.

- **Electrical**

- Two POS (Point of Sale) registers
- Communication equipment (router/switch/cellular transmitter)
- Maximum 15 amp 110 volt circuit.
- Electrical needs during the business day only – not 24 hours per day.
- Source an on-site generator (Honda Super Quiet EU1000i) has been used since 2015.
- Power ramps provided where needed

- **Water**

- Minimum requirements would be a single faucet connection.
- Product hand watered during the course of the business day as needed using hoses (stored on hose reels) and water wands. No automatic watering equipment will be necessary.
- Source to be determined, but most likely will be a similar connection to the adjacent fire hydrant as in 2015.



Security

All monies would be removed from the site daily and taken off premise with no overnight storage of cash. POS equipment would be locked in an outdoor booth along with any 'product' that needs to be protected in the event of inclement weather.

Trash Disposal

A small trash container will be available for staff to dispose of debris and it will be emptied as needed.

Recycling

In 2010 *Stein Gardens & Gifts* initiated its 'Let's Recycle Together' program and recycled over 46,000 pounds of plastic in 2014. Recyclable plastics will be returned to one of the 16 Stein store locations for recycling. 2015 numbers are not yet available.

Restrooms

When permitted by the property owner, staff would have access to the restroom facilities available on the property.

Signage

Stein's Just Plants signs would consist of (depending on local zoning code):

- 1 – 48" x 96" sign located on the rear of the cashier stand
- 5 – 24" x 36" Banners signs on the fencing with the Stein's Just Plants logo

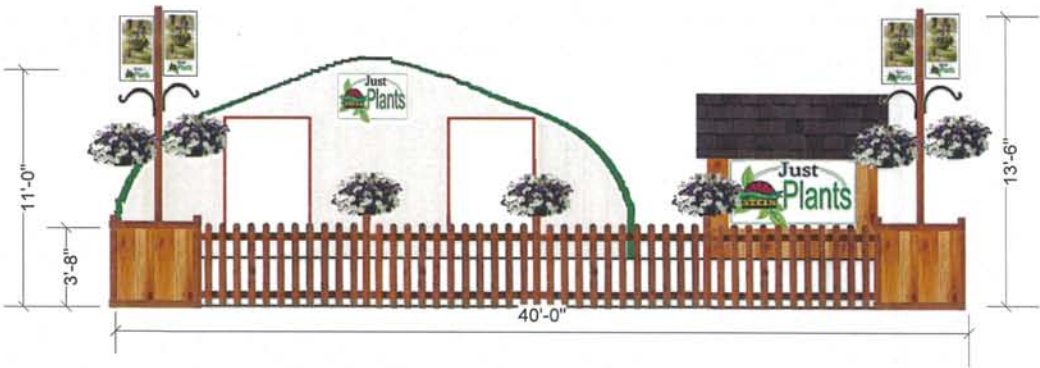
Product signage will consist of 8 ½" x 11" card signs both in the greenhouse display and the display area immediately outside of the greenhouse.

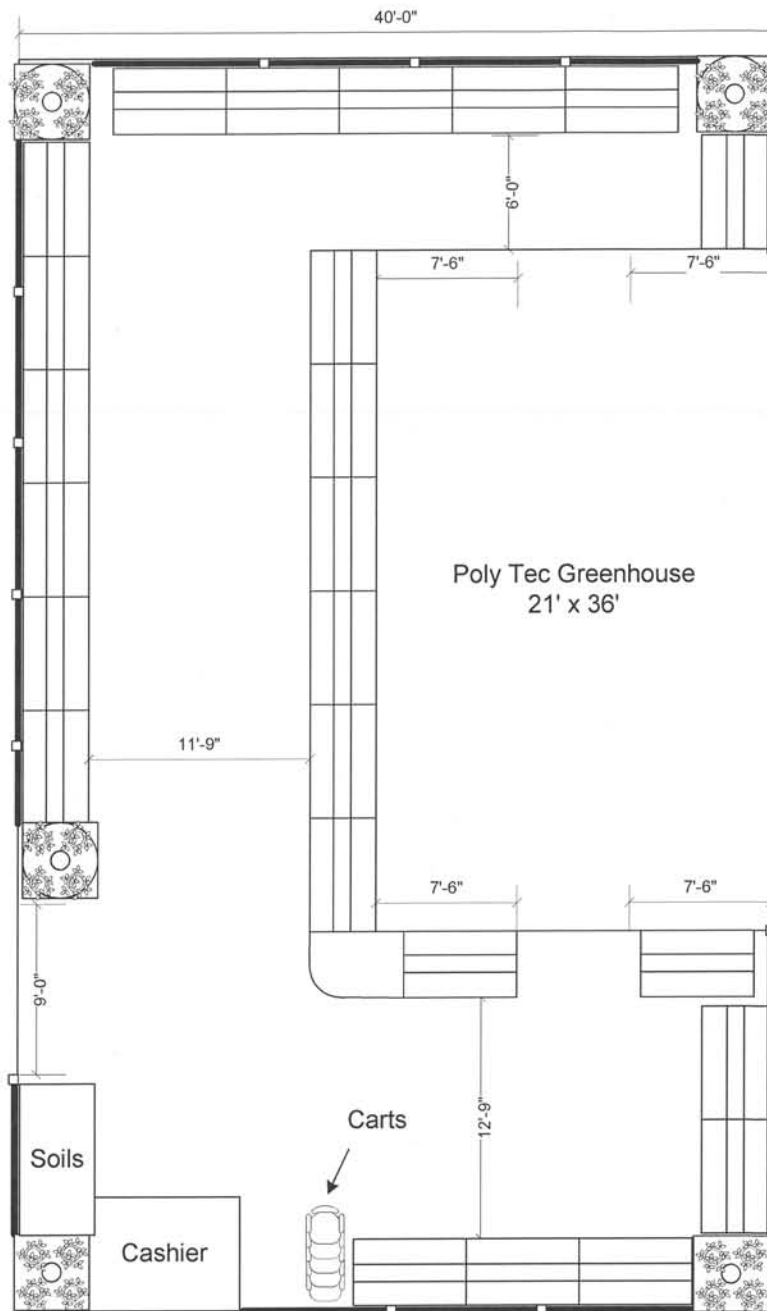
**Updated logo to be used in 2016 which resembles logo used on cover of proposal.*



•CHEF JEFF'S•		
Chef Jeff Vegetables		
Gourmet Spring Green Peas	4 Inch Pots Premium Tuna Cakes	Heirloom Dark Green Beans
3/\$6.00	3/\$6.50	3/\$7.00
Or \$2.00	Or \$2.17	Or \$2.33
Reg. \$3.00	Reg. \$3.25	Reg. \$3.50

Site Plans





Cashier Stand

